

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED)
RICE LITIGATION)

4:06MD1811 CDP

This Order Relates to:

Riviana Foods, Inc. v. Bayer AG, et al. 4:08CV375 CDP

MEMORANDUM AND ORDER

The claims of Riviana Foods against the Bayer entities were set for trial on April 19, 2010. On April 9, 2010, the Court was informed that the parties had settled those claims. On April 16 the parties filed a joint report regarding case status [#2812, # 271]. That report indicated that the parties were working on a settlement agreement, and believed they could file necessary documents to resolve the case within “the next two weeks.” That time has come and gone, and I have heard nothing about the case. Additionally, the joint report indicated that the settlement does not affect Riviana’s claims against defendants Riceland Foods, Inc. and Producers Rice Mill, Inc., which had been severed for separate trials. The report indicated that counsel were talking and they hoped to reach resolution “shortly.”

The parties need to resolve all these matters soon, or I will need to place

the matter back on a trial docket. I severed the claims against Riceland and Producers over the objections of Riceland, who urged me to rule on the pending motions for summary judgment before deciding the severance issue. Those motions for summary judgment remain pending, but I do not want to rule on them if the case is going to be resolved by settlement.


Accordingly,

IT IS HEREBY ORDERED that at the status conference on May 27, 2010, counsel for Riviana and the Bayer defendants must provide the court with a report and a specific schedule for their filing dismissal papers relating to the settled Riviana claims.

IT IS FURTHER ORDERED that at the status conference on May 27, 2010, counsel for Riviana and for Riceland Foods, Inc. and Producers Rice Mill, Inc. shall provide the court with a report and a specific schedule for the resolution of the remaining claims brought by Riviana against these defendants in Case No. 4:08CV375CDP.

IT IS FURTHER ORDERED that the motions in limine [##2723, 2724, 2725, 2727, 2730, 2732, 2733, 2735, 2736, 2737, 2739, 2740, 2741, 2742, 2743, 2748, 2750 in Case No. 4:06MD1811, and ## 213, 214, 217, 218, 220,

222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 235, 237 in Case No. 4:08CV375] are denied as moot. The motions for summary judgment and to exclude or limit expert testimony relating to Riviana's claims against Producers and Riceland remain pending.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 11th day of May, 2010.